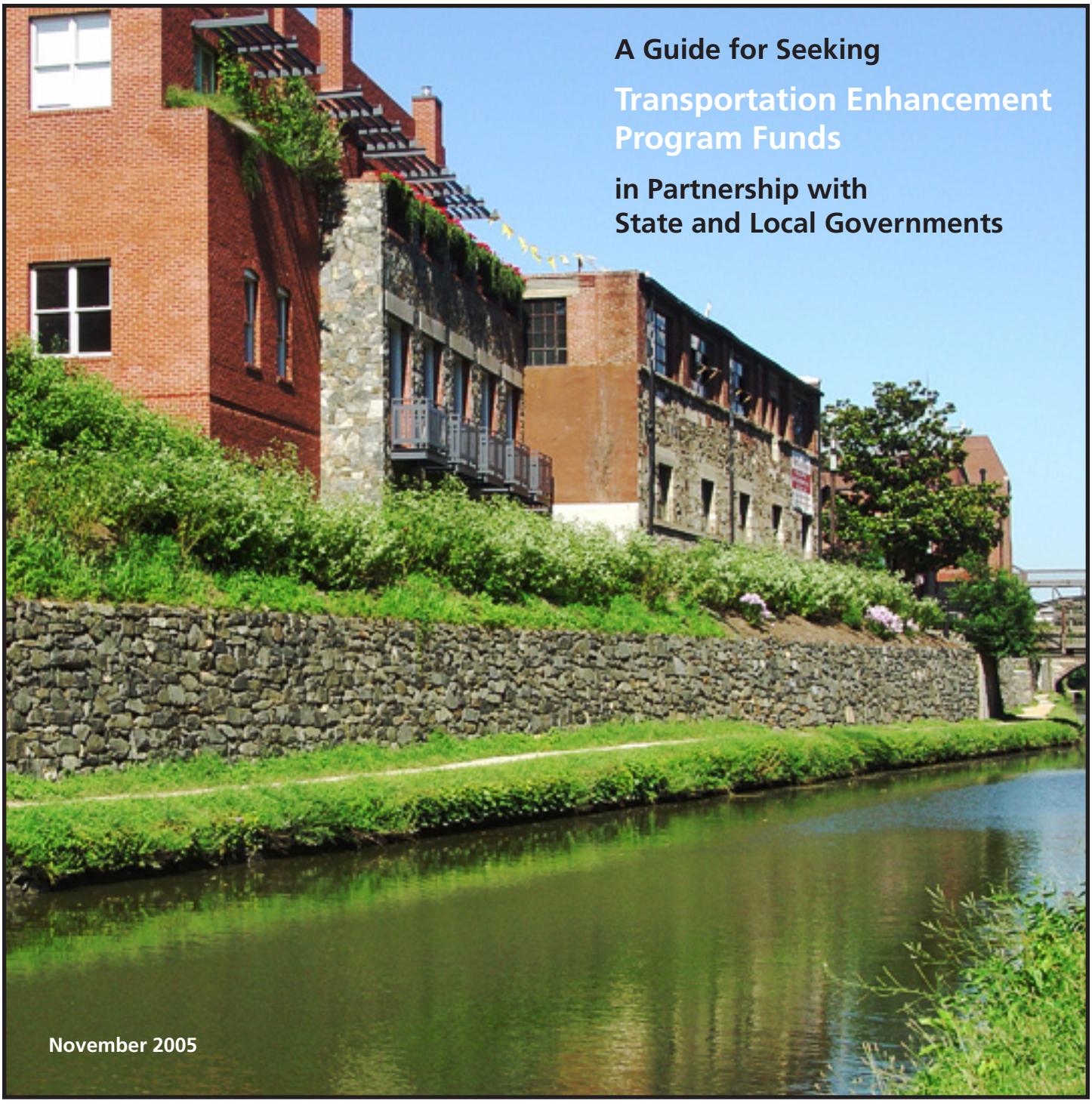
National Park Service
U.S. Department of the Interior

Transportation Management Program



A Guide for Seeking

Transportation Enhancement Program Funds

in Partnership with State and Local Governments

November 2005

Transportation Enhancement funds were used to reconstruct this retaining wall in the Georgetown section of Chesapeake & Ohio Canal National Historical Park, Washington, D.C. (Photo courtesy of the Dry Stone Conservancy, Inc., Lexington, Kentucky)

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INTRODUCTION

The purpose of this guide is to help National Park Service (NPS) personnel gain a basic understanding of the "*Transportation Enhancements*" program and how the funding process works. Increasingly, national parks require multi-government and private funding partnerships to advance transportation projects.

Parks and their neighboring states and communities must provide transportation systems capable of serving multiple users and uses while achieving environmental, cultural, economic, and social objectives. These objectives help create a more balanced transportation system and foster transportation facilities that enhance the communities they serve. This approach is typified by the Federal Highway Administration's (FHWA) *Transportation Enhancements* (TE) program. The TE program is the catalyst for creating non-traditional transportation activities, which are increasingly bringing communities together across the nation.

This TE Guide was first released in 2001 and updated in 2005. It reflects the changes under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59). NPS personnel should become familiar with the following websites:

- FHWA at http://www.fhwa.dot.gov/environment/te/index.htm
- The National Enhancement Clearinghouse at www.enhancements.org

TE funds are apportioned through state transportation departments. States must set aside or "reserve" a percentage of annual TE funds for twelve eligible activities according to the law. Any Federal land management agency (i.e., NPS, Forest Service, Fish & Wildlife, Bureau of Indian Affairs, Bureau of Land Management, etc.) may apply through the states for TE funds. Please note that a few states require Federal land management agencies to apply through a unit of state or local government.

The majority of TE projects in the national parks have involved the rehabilitation of deteriorating and unsafe facilities. Looking ahead, these types of projects should align with the life-cycle based asset management strategy that NPS has adopted. NPS managers must consider the total cost of ownership for an asset before allocating resources to it. This includes all of the expected maintenance costs that will likely be incurred through the asset's normal life span.

NPS uses standard performance measures to help determine the merits of undertaking a facility-related project. The Facility Condition Index, for instance, indicates the current condition of an asset relative to its "as new" condition. And, the Asset Priority Index is a rating that shows how important an asset is to the mission and operation of a park.

Consideration of these two measures is essential before applying for TE funds. Investments in NPS facilities should improve the condition of high-priority assets and contribute to the successful operation of a park. TE projects should be submitted and prioritized in the Project Management Information System, and must be approved by the appropriate region and WASO Transportation Management Program.

ELIGIBLE TE ACTIVITIES

Eligible Transportation Enhancements. Transportation Enhancements (TE) activities, as amended in SAFETEA-LU Section 1122, are nearly identical to those under the Transportation Equity Act for the 21st Century (TEA-21: Public law 105-178), and codified as 23 U.S.C. 101(a)(35). One of the biggest changes of benefit to the National Park Service is the "acquisition of scenic easements and scenic or historic sites *including historic battlefields."* The TE program funds 12 categories of projects, as they relate to surface transportation (with selected examples of Federal/state partnership projects), as follows:

- **Pedestrian and Bicycle Facilities** [*Fort Washakie Pedestrian & Bicycle Facilities-Bureau of Indian Affairs and Wyoming Department of Transportation (DOT) partnership in Washakie, Wyoming]*.
- **Pedestrian and Bicycle Safety and Education Activities** [*Black Hills National Forest –U.S. Forest Service and Wyoming DOT partnership in Crook County, Wyoming]*.
- **Acquisition of Scenic or Historic Easements and Sites – *including historic battlefields*** [*Antietam National Battlefield – Maryland DOT partnership with the Maryland Department of Natural Resources to create scenic easement to NPS Civil War battlefield sites, in Sharpsburg, Maryland*].
- **Scenic or Historic Highway Programs, including Tourist and Welcome Centers** [*Bryce Canyon Visitor Center - U.S. Forest Service near Bryce Canyon National Park, in Utah*].
- **Landscaping and Scenic Beautification**
- **Historic Preservation** [*Chesapeake & Ohio Canal retaining wall reconstruction – D.C. government and NPS partnership in Georgetown, Washington, D.C.*].
- **Rehabilitation and Operation of Historic Transportation Buildings, Structures, or Facilities** [*Georgetown Loop Bridge – Bureau of Land Management (BLM) partnership in Georgetown, Colorado]***.**
- **Preservation of Abandoned Railway Corridors (rail-trails)** [*Cape Cod Rail Trail corridor – Massachusetts' DOT partnership with NPS and towns in Cape Cod, Massachusetts*].
- **Inventory, Control, and Removal of Outdoor Advertising** [*Gold Belt Scenic Byway Sign Resolution - BLM partnership, US 50 near Canon City, Colorado*].
- **Archaeological Planning and Research** [*Barney Circle Freeway, District of Columbia/Anacostia Park, National Capital Parks East, Washington, D.C.***]**
- **Environmental Mitigation to Address Water Pollution due to of Highway Runoff or Reduce Vehicle-Caused Wildlife Mortality while Maintaining Habitat Connectivity – "Critter Crossings"** [*Rock Creek Park Alaska Avenue Stormwater Improvements - District of Columbia Department of Public Works partnership with the National Park Service.*]
- **Establishment of Transportation Museums**

Another change under SAFETEA-LU is the creation of two new TE-type programs — the "Nonmotorized Transportation Pilot Program" and the "Safe Routes to School Program." The Nonmotorized Transportation Pilot Program will assist four localities in completing seamless transportation networks that connect trails, bicycle lanes, sidewalks, and mass transit. Marin County, Calif. is identified as one of the pilot localities, an area that includes Muir Woods National Monument and Point Reyes National Seashore. A second area is Minneapolis, Minn., which includes the Mississippi National River & Recreation Area.

Though the Federal statute describes eligible categories for the TE program with interpretive guidance from FHWA, state transportation agencies have the responsibility for administering the TE program. Each state develops it own application and selection process, establishes selection criteria and matching-fund policies, and adopts methods to streamline the development and management of TE projects.

Transportation enhancement managers administer the program at the state level, offering guidance on state-specific funding processes and project implementation. NPS staff must work closely with their state TE managers. See: http://www.enhancements.org/statecontacts_TE.asp
[Also see Attachment 1 for the list of state TE managers].

Another important resource is a website that has links to state transportation departments, located at: http://www.fhwa.dot.gov/webstate.htm

Activities that are not explicitly on the list may qualify if they are an integral part of a larger qualifying activity. For example, if the rehabilitation of a historic railroad station required the construction of new drainage facilities, the entire project could be considered for TE funding. Similarly, environmental analysis, project planning, design, land acquisition, and construction activities are eligible for funding. Also, TE funds can be used in connection with Federal Lands Highway (FLHP) Park Roads and Parkways and FLHP Transportation Management Program projects. For example, a FLHP Park Roads and Parkways project could compete for state TE funds for “Landscaping” improvements.

TE FUNDING

The funding mechanism for TE program activities has been modified. Under TEA-21, 10 percent of funds apportioned to a state through the Surface Transportation Program (STP) (plus Minimum Guarantee funds apportioned through STP) were required to be available only for TE activities. Under SAFETEA-LU section 1113(c) [codified as 23 U.S.C. 133(d)(2)], funding for the TE program is the greater of either 10 percent of the funds apportioned to a state under the Surface Transportation Program (STP) for a fiscal year (plus Equity Bonus funds apportioned through STP), or the amount that was apportioned to a state in FY2005. Because STP funding in FY 2006 through 2009 is lower than the funding in FY 2005, the FY 2005 level will be the amount available to the states through FY 2009.

In most cases, the FHWA pays 80 percent of the TE project cost, and the project sponsor is responsible for the remaining 20 percent match. Matching amounts vary widely from state to state, from as high as 50 percent to 0 percent in some cases. The amount of match required roughly corresponds to the amount of Federal lands in the states. Match requirements tend to be lower in Western states.
See www.enhancements.org/TE_by_State.asp for the match requirement in each state. Also, see the official FHWA notice at www.fhwa.dot.gov/legsregs/directives/notices/n4540-12.htm

Title 23 section 120(k) and (l) allows a state to use Federal land management agency and Federal Lands Highways Program funds to match other Federal-aid highway program funds. Furthermore, 23 U.S.C. 133(e)(5)(C) allows for up to 100 percent of the cost of individual TE projects on Federal lands without a corresponding match**.** The 100 percent of the cost figure is usually reserved for projects in poorer, rural areas without much tax base and is not used in all states.

Provisions in 23 U.S.C. 133(e)(5)(C) allow the states to calculate the non-Federal share of a project on a project, multiple-project, or program basis. This means that if one project exceeds non-Federal match requirements, a state may apply the excess non-Federal share to other grouped projects or to the TE program as a whole. This is one way that states can award 100 percent funding to projects in communities that are unable to provide matching funds or in-kind donations.

Therefore, it is up to the individual state to set policy regarding the matching project requirements. If a state requires the NPS to provide a local match on Federal lands, then parks can use any one of these stipulations, or a combination of them:

- NPS can match the TE program with Federal Lands Highway Park Roads and Parkways Program funds [Title 23 USC §120(l)] or from other NPS sources of funds; or
- NPS and states can use an increased Federal-ratio of participation (also known as the "sliding scale," requiring less than the 20 percent match) by jurisdiction with non-taxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), national forests, national parks, and monuments; or
- NPS can use the value of their services as part of the non-Federal match contribution, which can include costs associated with planning, design, and project management of a TE activity; or,

- NPS can use contributions by outside parties such as local governments, foundations, businesses, and other sources as part of the non-Federal match.

Title 23 USC §132 provides for an advance payment for Federal agencies. As with most FHWA programs, the TE program typically works on a reimbursable basis. The project sponsor pays the costs up front and then requests reimbursement from the state.

However, states have the flexibility to allow projects to proceed using the advance payment provision. This way, the park does not have to budget NPS funds for the full estimated cost of the project in order to advertise the contract (since TE funds are "advanced" to the NPS). Also, this enables the park to pay contractors and consultants in a timely fashion. One advantage of the advance payment is that it helps states to obligate and receive reimbursement of TE funds within a short period of time. Usually this needs to be coordinated with the local programs engineer at the district level of the state DOT and the FHWA TE coordinator at the state division office. See www.enhancements.org/contacts.asp to find the FHWA division office contact for your state.

Under section 1108(g) of TEA-21, the U.S. Department of Transportation encourages the states to enter into contracts or cooperative agreements with youth conservation corps programs to implement TE projects. This allows the TE program to meet more community needs by encouraging job training for youth and young adults to carry out TE project implementation. Cooperative agreements for TE projects are covered later in this paper.

MEETING FEDERAL REQUIREMENTS FOR ELIGIBILITY

The basic Federal requirements for TE projects are: they must consist of one or more of the twelve defined activities and they must relate to surface transportation. Parks should develop TE project proposals that demonstrate a strong relationship to surface transportation. FHWA provides *Guiding Principles and Questions for Transportation Enhancement Activities* at http://www.fhwa.dot.gov/environment/te/principles_pt1.htm.

TE funded activities must be accessible to the general public or targeted to a broad segment of the general public. In addition to meeting Federal requirements, each state may have additional eligibility requirements. For instance, a state may require historical sites to be listed on the National Register for Historic Places for TE eligibility, or a state may require the project sponsor to be a taxing authority, such as a city or county. Discussions with the state TE manager will help you determine if additional requirements exist and what the TE process involves.

STATE TRANSPORTATION IMPROVEMENT PROGRAM "STIP" AND METROPOLITAN PLANNING ORGANIZATION "MPO" TRANSPORTATION IMPROVEMENT PROCESS "TIP"

NPS planners are encouraged to participate in the local, state, and MPO transportation planning process. This can be done through the metropolitan and statewide annual or biannual development of the Transportation Improvement Program or "TIP." To be funded, TE activities must be included in the appropriate metropolitan and statewide transportation improvement programs. Transportation planning for metropolitan regions is conducted by local metropolitan planning organizations (MPOs). MPOs are designated planning groups for urbanized areas of at least 50,000 residents. Since many NPS park lands and non-traditional units are in less urbanized areas, most transportation coordination and planning activities will be done on a statewide, rather than a metropolitan or regional, basis. It is important to note that a state must sponsor any NPS TE project in their STIPs. The state is responsible for coordinating TE project listings with the MPO TIP.

The metropolitan and statewide planning processes should occupy a central role in the identification, planning, and funding of TE activities. In particular, the planning processes are the appropriate mechanisms for determining funding priorities among competing TE activities, including those not part of larger transportation projects.

The TIP development process involves considerable coordination with public agencies, transportation providers, and the public. Federal surface transportation legislation requires state plans and TIPs to include strategies that address a number of broadly defined transportation policy areas, such as economic vitality, safety and security, and environmental protection.

While it is the responsibility of the state to sponsor a TE project, it should be emphasized that projects funded out of the Federal Lands Highway Program (FLHP) should be coordinated and included with appropriate state and metropolitan planning organization plans and TIPs [23 USC §204(a)(5)].

TRANSIT ENHANCEMENTS

Initiated under TEA-21 and continued in SAFETEA-LU, the “transit enhancements” provisions are administered under the U.S. Department of Transportation’s Federal Transit Administration (FTA). Under the FTA Urbanized Area Formula Program (Title 49 U.S.C. Section 5307), funds are apportioned annually to urban areas with populations of 200,000 and over for transit capital projects. One percent of each urbanized area's apportionment must be used for transit enhancements.

FTA makes grants in each urbanized area with a population 200,000 and over to a "designated recipient." A designated recipient is a public body that has legal authority to apply for, receive, and dispense Federal funds in the urbanized area. There is usually one designated recipient in an urbanized area, but occasionally there is more than one. There are approximately 400 designated recipients of the FTA program. Recipients of FTA grant funds are referred to as "grantees."

A sample of national park units eligible to participate in this program include most parks units in the Northeast Region and the National Capital Region, as well as others around the nation, such as Cuyahoga Valley National Park, Cabrillo National Monument, Golden Gate National Recreation Area, Jefferson National Expansion Memorial, Jean Lafitte National Historical Park and Preserve, Presidio of San Francisco, U.S.S. Arizona Memorial.

Eligible Transit Enhancements. The term "transit enhancement" refers to projects or project elements that are designed to enhance mass transportation service or use, and are physically or functionally related to transit facilities. The following qualify as transit enhancements. All must be related to or serve mass transit.

- Historic preservation, rehabilitation, and operation of historic mass transportation buildings, structures, and facilities (including historic bus and railroad facilities);
- Bus shelters;
- Landscaping and other scenic beautification elements, including tables, benches, trash receptacles, and street lights;
- Public art;
- Pedestrian access and walkways;
- Bicycle access, including bicycle storage facilities and installing equipment for transporting bicycles on mass transportation vehicles;
- Transit connections to parks within the recipient's transit service area;
- Signage; and
- Enhanced access for persons with disabilities to mass transportation.

THE POLITICS OF ENHANCEMENT

Although TE funds account for a small percentage of the total transportation funds available to states, these investments can contribute to the vitality and identity of the community.

However, there are challenges in balancing new roles among Federal, state, and local partners. It also requires extensive work by the project sponsor to network, communicate, and advocate TE proposals.

It is important to promote your project by garnering public and political support. The broader the support you develop among professionals, elected officials, and residents, the more likely your proposed project will be successful. NPS personnel must promote their TE projects and effectively communicate how they benefit the greater community.

Seek the early involvement and endorsement of your MPO, regional transportation planning agency, or equivalent. Conduct and document public meetings with area residents. Inform the media of your project and invite them to your site and to public events. If necessary, obtain letters of support from both local and statewide groups, elected officials, planning commissioners, and advisory boards. (However, some states restrict TE applications to what is essential, and most states discourage letter writing campaigns: check with your state before soliciting letters of support.)

Ascertain how projects are approved and take efforts to determine who decides the final project approval and inform them of your project. You may wish to use all forms of media and marketing as an opportunity to raise additional contributions toward the matching funds. This can be determined by attending the state DOT TE workshops described above, or by discussing your project with the state TE manager.

Keep in mind that not only is each state program different, but applying for TE funds is a competitive process. Find out the state's TE submission calendar and expect the application process to take at least six to 12 months. Learn as much as possible about your state program to smooth your way around any potential obstacles. Always solicit help from TE managers. Many times, the state TE manager will hold workshops and seminars to help you with TE applications. As you move ahead, meet your key contacts in your local government. Solicit their advice to guide your project through the regional planning process. Also work with state and MPO staffs involved with the preparation of the TIP.

Finally, bring projects to the table that are well thought out and well designed. Most states are looking for a project that is ready for construction, with a "PS&E" (Plans, Specifications, and Engineering Estimate available. A "PS& E" package is required by FHWA before a state can obligate a project for construction. This demonstrates the park's commitment to the project, that the project is ready to be built, and it is attractive to the state from the standpoint of obligating and receiving reimbursement (through the advance payment option) of TE funds in a short period of time.

Project applicants can do a lot to make life easier for state DOT TE managers. Here are additional tips recommended by the National TE Clearinghouse:

- Carefully review eligibility restrictions to make sure the proposed project is eligible for TE funds. TE managers are usually overworked and have little time to weed out inappropriate applications.

- Meet with TE managers or attend a workshop to discuss requirements and project feasibility. TE managers repeatedly say that they can immediately tell the difference in quality between applications from those who have attended training sessions and those who have not.

- If possible, secure right-of-way before applying for TE funds. TE managers will feel more confident about a proposed project if the right-of-way has been acquired.

- If possible, secure cash match for a project. Although many states offer flexibility in meeting the 20 percent match requirement, most states prefer a cash match and may give priority to such projects..

- If you receive an award, start your project right away and stay on schedule and on budget. Many TE managers report having to prompt local sponsors to take initiative on their projects. If the sponsor uses TE funds efficiently and responsibly, they are much more likely to be successful in future requests for funds.

COOPERATIVE AGREEMENTS

Park personnel are urged to develop an interagency cooperative agreement for every TE project. NPS is a strong advocate of cooperative agreements to transfer money, property, services, or anything else of value from the NPS to a partner. Developing a cooperative agreement for TE projects does the following:

- Provides the purpose and foundation of the partnership;
- Establishes obligations, responsibilities, and funding requirements;
- Anchors legislative requirements;
- Covers project termination and liability; and,
- Reaffirms standard clauses such as non-discrimination.

The format and requirement for such agreements are provided by Director's Order #20 (See **Attachment 2**).

RECOMMENDED TE CHECKLIST

- Before seeking TE funds, you must demonstrate how the project will improve the condition of a high-priority asset and ensure the effective, long-term operation of that asset. TE projects should be submitted and reviewed in the Project Management Information System, and must be approved by the appropriate region and WASO Transportation Management Program.
- Find out the state's TE submission calendar and application process.
- Seek the early involvement and endorsement of your MPO, or equivalent.
- Be sure to include all elements of the application, but please do not include superfluous information that the state does not require.
- Provide a clear statement demonstrating the transportation link.
- Describe each transportation enhancement activity.
- Define a scope of work, and include preliminary studies and land acquisition or construction.
- Include a workplan with a timeline.
- Reflect the scope of work in your budget.
- Identify the source of the matching funds with a letter verifying availability.
- Explain how the community would benefit from the project.
- Check with your TE manager first to see if you should include letters of support, minutes from public meetings, and newspaper clips about the project.
- If available, include photographs of the site, preliminary sketches, or plans.
- Include a plan for project maintenance.
- Work with state and MPO staffs involved with the preparation of the TIP.

CONCLUSION

NPS seeks to provide transportation improvements “that lie lightly on the land” in and around park units, while balancing the protection of cultural and natural resources and providing for public enjoyment. Protecting resources, yet providing for safe, efficient, and enjoyable access to, and travel within, the national parks is one of the greatest challenges we face in our stewardship.

Successful alternative transportation systems share one essential component: partnership. National parks do not exist in isolation. They are national lands, and they are also extensions of local communities. Their operation and well-being impact the visitor experience, in addition to state and local capital requirements. Community transportation can play a role in facilitating the goals of all partners (refer to **Attachment 4** for article on “Transit and the Park Experience”).

Many use the TE program to acquire, restore, and preserve scenic or historic areas. TE can be a connection between resource protection and visitor enjoyment, which is often the platform for achieving the NPS dual mandate. The TE program addresses a wide range of needs within park units. It further provides an opportunity for national parks to enhance their ability to work with partners outside park boundaries, such as state, MPO, and local governments and gateway communities. The TE program helps NPS use innovative, non-traditional transportation solutions that preserve natural resources and improve access for our visitors. Park managers are encouraged to take advantage of the TE program — a Federal initiative that focuses on enhancing the traveling and visitor experience.

FOR FURTHER INFORMATION

To learn more about the TE program, please check the following resources:

- The National Enhancement Clearinghouse website: www.enhancements.org
- FHWA TE website: http://www.fhwa.dot.gov/environment/te/
- State Department of Transportation Websites: http://www.fhwa.dot.gov/webstate.htm
- Guiding Principles and Questions for Transportation Enhancement Activities: http://www.fhwa.dot.gov/environment/te/principles_pt1.htm
- FHWA Guidance on Transportation Enhancement Activities: http://www.fhwa.dot.gov/environment/te/guidance.htm
- Communities Benefits booklet: http://www.enhancements.org/documents.asp (PDF at http://www.enhancements.org/misc/benefits2.pdf)
- A Quick Guide to Transportation Enhancements brochure at www.enhancements.org/misc/tebrochure.pdf
- A Guide to Transportation Enhancements Case Studies booklet at www.enhancements.org/teguide/teintro.pdf
- Connections TE newsletter and other guidance at www.enhancements.org/documents.asp#connections
- Christopher Douwes, FHWA Trails and Enhancements Program Manager, at christopher.douwes@fhwa.dot.gov.

EXAMPLES OF NPS & TE PARTNERSHIPS (See Attachment 3)

The range of innovative TE projects studied across the country is remarkable. Most of the partnerships are between communities and their local and state governments. However, the National Park Service has some exemplary cases studies illustrating TE partnerships in the following parks:

- Zion National Park
- C&O Canal National Historic Park
- Grand Canyon National Park
- Lowell National Park

Additional case studies, partnership success stories, and a TE example provided by Beth Wilson's article in **Attachment 4**.

ATTACHMENT 1

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ATTACHMENT 2

National Park Service

DIRECTOR'S ORDER #20: AGREEMENTS

Approved: /s/ A. Durand Jones
Acting Director

Effective Date: July 23, 2003

Sunset Date: December 31, 2004

Note: This is an interim renewal of Director's Order #20, without substantive changes to the version that was approved July 23, 1999. Substantive changes will be under consideration in the coming months, and they will be circulated Servicewide for review and comment.

The Federal Assistance and Interagency Agreement Guideline, NPS-20, Release No. 3, dated August 1986, and any other conflicting instructions which pre-date this Director's Order, are superseded and replaced by this Director's Order #20 and by the National Park Service Agreements Handbook.

1. PURPOSE AND BACKGROUND

1.1 The purpose of this Director's Order is to: (1) establish NPS policies and procedures for administering agreements; (2) identify and describe the types of agreements that the

NPS enters into with Federal and non-Federal entities; (3) identify and describe the responsibilities and functions of NPS officials in administering agreements; and (4) affirm the NPS's commitment to comply with the regulations, policies and procedures imposed by the Office of Management and Budget (OMB) Circulars, the Code of Federal Regulations (CFR), the Federal Acquisition Regulation (FAR), Executive Orders (E.O.), the Department of the Interior (DOI) regulations and other applicable governmental laws and regulations.

1.2 The National Park Service (NPS) is authorized by law to enter into agreements with other agencies, organizations and individuals. These agreements establish formal relationships that allow the NPS to more efficiently and economically accomplish its mission. To some extent, applicable laws and regulations prescribe the manner or conditions under which agreements may be entered into. But NPS managers also have substantial latitude in crafting and entering into agreements. This combination of authority and latitude has resulted in a confusing proliferation of agreements that have often been more complicated than they needed to be. At the same time, the approval process has sometimes taken more time than should have been necessary, because basic elements or requirements have been overlooked by the agreement's author, or because there has been uncertainty as to roles and responsibilities in the approval process, or because an inappropriate agreement instrument has been selected. This situation indicates a need within the NPS to clarify the distinctions between various agreements, to standardize agreement formats, and to clarify roles and responsibilities.

1.3 This Director's Order is a "Level 2" document issued under the Director's signature. It does not contain detailed information and procedures or processes. However, the Associate Director for Administration will prepare and issue a NPS Agreements Handbook (a "Level 3" document) which will include detailed information regarding procedures and processes, and specific examples of the various agreement formats.

2. LEGAL AUTHORITY

2.1 This Director's Order is authorized by the National Park Service Organic Act (16 U.S.C. 1 through 4), and delegations of authority contained in Part 245 of the

Department of the Interior Manual. In addition, there are other laws that authorize the NPS to enter into agreements and that prescribe the form and content of agreements. These other laws are referenced as appropriate within this Director's Order and, to a greater extent, within the NPS Agreements Handbook.

3. POLICIES/INSTRUCTIONS/REQUIREMENTS

3.1 NPS park and program managers should actively seek opportunities to efficiently and economically accomplish the NPS mission by entering into advantageous relationships with Federal and non-Federal entities. The NPS will formalize and document these relationships through Cooperative Agreements, Interagency Agreements, and General Agreements (formerly called Memoranda of Agreement and Memoranda of Understanding) which will explain how the relationships are managed.

3.2 All agreements in which the NPS is a party will be carried out in accordance with applicable laws, regulations and policies. The NPS will ensure, to the extent practicable, uniform implementation of procedures governing its agreements with Federal and non-Federal entities.

3.3 The terms Memorandum of Understanding (MOU) and Memorandum of Agreement (MOA) will no longer be used to describe an agreement in which the NPS is a party. The terms MOU and MOA will be replaced by the new term, "General Agreement." An MOU or MOA which pre-dates this Director's Order may continue to be called MOU or MOA until it expires. If or when the agreement is renewed, it will be converted to a General Agreement. Exceptions to this nomenclature may be made for international agreements, or when the non-NPS party is required by their agency or institutional protocol to use MOU, MOA, or some other term.

[The terms MOU and MOA are being eliminated at the suggestion of the Office of the Solicitor, and in response to a recommendation from the Vail Partnership Committee to reduce the confusion in selecting agreement instruments. Both these terms--and the types of relationships they characterized in the past--will be encompassed within the more generic General Agreement. Although confusion will never be totally eliminated, the range of options should help simplify choices.]

3.4 In the past, Interagency Agreements were sometimes used to document an agreement or understanding between the NPS and another Federal agency to assist one another on a reciprocal basis. Henceforth, the NPS will use Interagency Agreements only to document arrangements that entail the transfer of funds, goods, property or services between the NPS and another Federal agency. When the purpose of the agreement is merely to document mutually-agreed-to policies, procedures, objectives and/or relationships, with no funds, goods, property or services exchanged, a General Agreement will be the instrument of choice.

3.5 The Associate Director, Administration, through the Contracting and Procurement Office, will issue the NPS Agreements Handbook. The handbook will provide a comprehensive compilation of detailed information and instructions that will assist NPS personnel in the development, implementation, and management of agreements. The handbook will also include legal authorities for entering into agreements and the responsibilities of NPS personnel for processing agreements. NPS personnel must comply with the mandatory elements contained in the NPS Agreements Handbook, which will be available through contracting offices at the regional level and through the WASO Contracting and Procurement Office.

4. COOPERATIVE AGREEMENTS

4.1 Congress has specifically defined in the Federal Grant and Cooperative Agreement Act (FGCAA--codified at 31 U.S.C. 6305) the term "Cooperative Agreement," and the circumstances under which a Cooperative Agreement must be used. In the past, the NPS has had limited authority to use cooperative agreements as a means of carrying out its mission because it had few legal authorities to undertake activities that met the FGCAA definitions. However, as a result of the Omnibus Consolidated Appropriations Act of 1997 (P.L. 104-208), section 203 of the National Parks Omnibus Management Act of 1998 (P.L. 105-391), and section 818 of the Omnibus Parks and Public Lands Management Act of 1996 (P.L. 104-333), the NPS has three new statutory authorities that expand the opportunities to use cooperative agreements. These new authorities are 16 U.S.C. 1g for park programs, 16 U.S.C. 5933 for cooperative study units, and 16 U.S.C. 1a-2(j) for park research. These new authorities, in addition to the other existing

specific authorities, allow the NPS to carry out any of the NPS's legally authorized activities through a Cooperative Agreement, as long as the following conditions are met:
(a) The agreement is used to transfer money, property, services, or anything else of value from the NPS to the partner; and
(b) The principal purpose of the NPS assistance is:
1. To carry out a public purpose of support or stimulation authorized by a law of the United States between the NPS and a State, local government, tribal government or other non-Federal partner. [A few examples of those laws include 16 U.S.C. 460l(f) (research relating to outdoor recreation); 16 U.S.C. 462(e) (the Historic Sites Act of 1935); 16 U.S.C. 1246 (the National Trails System Act); 16 U.S.C. 1281(e) (the Wild and Scenic Rivers Act); 16 U.S.C. 3119 (Alaska National Interest Lands Conservation Act)]; or
2. To carry out the public purpose of any National Park Service program, authorized by law or by appropriation, with a State, local or tribal government, other public entity, educational institution, or private nonprofit organization. [This authority, 16 U.S.C. 1g, provides a very broad authority to use cooperative agreement instruments in support of park programs]; or
3. To develop adequate, coordinated, cooperative research and training programs concerning the resources of the National Park System with a public or private educational institution, State, or a political subdivision of a State, as authorized by 16 U.S.C. 1a-2(j); and
(c) The NPS anticipates substantial involvement during performance of the contemplated activity. [Anticipated involvement during performance would exist and, depending on the circumstances, could be substantial where the relationship includes, for example: NPS involvement in program management decisions; NPS collaboration in the accomplishment of the activity; or NPS operational involvement or participation during the project. The NPS Agreements Handbook provides additional guidance on determining whether substantial involvement is anticipated.]
4.2 Although the NPS frequently "cooperates with" or participates in a "cooperative arrangement with" other Federal and non-Federal entities, unless the arrangement

meets the criteria in paragraph 4.1, above, it will not be the subject of a "Cooperative Agreement." Instead, such arrangements will be the subject of a "General Agreement" or "Interagency Agreement."

4.3 Cooperative Agreement administration requires record keeping and compliance with any reporting requirements specified in the agreement and by regulations applicable to Cooperative Agreements. The NPS Agreements Handbook provides detailed information on these requirements.

4.4 Cooperative Agreements must be reviewed by a Contracting Officer and the Office of the Solicitor.

4.5 Cooperative Agreements must be signed by a Contracting Officer who possesses a Level IIB or higher warrant, and who has had Cooperative Agreement training from an accredited educational institution.

4.6 Cooperative Agreements are not to be used to circumvent applicable Federal acquisition laws and regulations. Competition should be encouraged, where deemed appropriate, in the award of cooperative agreements.

Note: If an end product will be delivered to the NPS, without substantial involvement by the NPS during performance, then a simplified purchase or a formal contract is the appropriate course of action, rather than a Cooperative Agreement.

5. INTERAGENCY AGREEMENTS

5.1 An Interagency Agreement is the appropriate instrument for:

(a) The acquisition or provision of goods or services between the NPS and another Federal agency, as authorized by the Economy Act (31 U.S.C. 1535, as amended); or,

(b) The acquisition or provision of services between the NPS and the District of Columbia government, as authorized by the Economy Act (31 U.S.C. 1537, as amended).

5.2 Interagency Agreements which obligate NPS funds must be reviewed and signed by a Contracting Officer who possesses a level IIB or higher warrant. Interagency Agreements that exceed $250,000 must be reviewed for approval or disapproval by the

Manager, Contracting and Procurement Program Office, WASO. If superintendents, program managers, or Contracting Officers have questions on a specific Interagency Agreement, they should contact the Office of the Solicitor for guidance.

5.3 Interagency Agreements which involve the receipt of funds by the NPS do not require the signature of the NPS Contracting Officer unless required by the other Federal agency. If
the other Federal agency does not require the signature of the NPS Contracting Officer, the responsible NPS official will sign the Interagency Agreement.

5.4 An Interagency Agreement which does not meet the requirements of 5.1, above, and which pre-dates this Director's Order, may continue to be called an Interagency Agreement until it expires. However, if and when the agreement is renewed, it will be renamed General Agreement.

6. COOPERATIVE MANAGEMENT AGREEMENTS

[NOTE: Policy guidance on the use of Cooperative Management Agreements for the acquisition or provision of supplies and services between the NPS and a State or local government agency, as authorized by section 802 of the National Park Omnibus Management Act of 1998, 16 U.S.C. 1a-2(l), is being developed and will be inserted here when it is completed.]

7. GENERAL AGREEMENTS

7.1 A General Agreement is a generic instrument used to document a wide range of mutually- agreed-to policies, procedures, objectives, understandings and/or relationships with Federal and non-Federal entities. The term "General Agreement" may be applied to any agreement not defined above as a Cooperative Agreement or an Interagency Agreement. Examples include:

(a) Agreements with "friends" organizations;

(b) Programmatic agreements with other Federal agencies;

(c) Planning and development agreements;

(d) Cooperating association agreements;

(e) Fund-raising or donation agreements;

(f) Reimbursable and non-reimbursable law enforcement assistance and fire-fighting agreements with State or local agencies;
(g) Arrangements under which a non-governmental entity will reimburse the NPS for supplies or services authorized under 16 U.S.C. 1b(5).
7.2 While the generic term "General Agreement" will define the type of instrument, a more explicit descriptive phrase may be used within the title to help distinguish its purpose. Examples include:
(a) "General Agreement - to Document a Fund-raising Relationship between ...."
(b) "General Agreement - to Document a Cooperating Association Relationship between…."

(c) "General Agreement - to Document a Fire-fighting Assistance Relationship between...."
7.3 General Agreements must not commit the NPS to provide financial assistance in any form, nor transfer NPS goods or services to Federal or non-Federal entities. However, a General Agreement may establish an administrative framework under which a subsequent Cooperative Agreement or Interagency Agreement will be entered. When used this way, the General Agreement may be incorporated into and succeeded by the Cooperative Agreement.
7.4 General Agreements are not required to be reviewed or signed by a Contracting Officer. However, if a General Agreement establishes an administrative framework under which a subsequent Cooperative Agreement or Interagency Agreement will be entered into, it is recommended that a Contracting Officer review the General Agreement.
7.5 If NPS park or program managers have questions regarding the legal implications of their General Agreements (such as tort claim liability), they are encouraged to consult

with the Office of the Solicitor. Solicitor's Office review is required for all fundraising agreements.

7.6 General Agreements may be reviewed and signed by the Director or by a deputy director, associate director, regional director, superintendent, or service/administrative program center manager. General Agreements intended for signature by the Director will be referred to the Office of Policy for prior review. Regional and associate directors may impose additional reviews and/or approval procedures for General Agreements within their jurisdiction.

8. CHALLENGE COST-SHARE PROGRAM

The criteria in sections 4 and 7 of this Director's Order should be applied to determine whether a Cooperative Agreement or a General Agreement is the appropriate instrument for documenting a Challenge Cost-Share Program (CCSP) activity. In some cases, a contract will be the appropriate instrument. Further guidance for the CCSP may be found in Director's Order #27, which is currently being developed. For additional information, contact the Washington Coordinator for the CCSP, or visit the following website: http://www.nps.gov/legacy/ccsp.htm.

9. RESPONSIBILITIES OF OFFICIALS

9.1 **Department of the Interior Office of Acquisition and Property Management.** Issues, through the Department of the Interior Manual, policies, procedures and regulations to implement Government-wide statutory or regulatory requirements for agreements.

9.2 **Office of the Solicitor.** Reviews agreements to ensure that the appropriate legislative authority is cited and the agreement is legally sufficient.

9.3 **Office of the Inspector General.** Conducts audits and negotiates cost rates for Cooperative Agreements.

9.4 **Director, Deputy Director, and Associate Directors.** Ensures that established policies, procedures, and requirements for agreements are met. On a case-by-case basis, each may sign General Agreements that have Service-wide impact.

9.5 **Associate Director, Administration.** Ensures that established servicewide policies and procedures for agreements are implemented.

9.6 **Regional Director.** Signs General Agreements which have regionwide impact.

9.7 **Manager, Contracting and Procurement Program Office, WASO.** Develops and issues Service-wide policies and procedures to comply with OMB Circulars, Federal Acquisition Regulation, Executive Orders, the Departmental Manual, and other sources of guidance on agreements; provides Service-wide oversight of Cooperative and Interagency Agreements; reviews NPS and office internal controls to ensure compliance as set forth in 43 CFR 12 and 505 DM .

9.8 **Superintendents, Managers, Service Centers and Administrative Program Centers.** Authorized to sign General Agreements that affect areas and matters over which they have jurisdiction.

9.9 **Contracting Officers with Level IIB or higher warrant.** Authorized to sign and administer Cooperative and Interagency Agreements.

9.10 **Program Managers/Contracting Officer's Technical Representatives.** Provide technical information, statements of work and technical assistance for agreements, and receipt of reports and other deliverables.

9.11 **Property Office.** Maintains accountable property records for property furnished under agreements and disposes of excess property acquired under agreements, in accordance with Director's Order #44.

9.12 **Partnership Office.** Reviews, and provides technical assistance with regard to, General Agreements relating to fundraising campaigns which require the Director's approval.

9.13 **Office of Policy.** Reviews, and provides technical assistance with regard to, General Agreements intended for signature by the Director (other than fundraising).

9.14 **Accounting Operations Center.** Ensures invoices are reviewed for accuracy and payments are processed in accordance with the terms and conditions of agreements.

Note: Although the authority to sign and administer cooperative agreements or interagency agreements which obligate funds rests with the appropriate level contracting officer, Regional Directors and/or park superintendents may co-sign agreements signifying their endorsement of the partnership arrangement.

---------- *End of Director's Order* ----------

ATTACHMENT 3

Zion National Park-Springdale Intermodal Transportation Enhancement Project
Contact: Patrick Shea (303) 969-2347

The Zion Canyon Transportation System successfully began operating in May 2000, as a result of multiple partners and a shared vision for the Zion Canyon area. This transportation system, initially designed to preserve park resources and improve the visitor experience within the national park, evolved to provide benefits to the community and improved community relationships outside the park, as well. The system was directly influenced by the partnering efforts of the national park, the town of Springdale, Zion Natural History Association, the State of Utah, and local citizens and businesses.

Specific partners and associated activities included:

The Town of Springdale became an early partner, after inquiring if a transportation system extension into town could supply a response to community growth challenges and reduce existing traffic problems. Subsequently, the town obtained state transportation enhancement (TE) funds for shuttle stops and streetscape improvements. These actions extended the park transportation system into the community and provided numerous visitor and community benefits, such as reduced traffic and an enhanced pedestrian environment. In addition to the $838,000 funding assistance out of the TE program, the Mayor of Springdale, Town Manager, town staff, town councilors, town committee members and local citizens consistently supported the transportation planning and implementation of the alternative transportation system.

Zion Natural History Association (ZNHA), a cooperative association within the national park, contributed $50,000 in local matching funds to the State's TE program funds under the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) for town shuttle stops. A cooperating association responsible for visitor center merchandising activities, ZNHA actively participated throughout the planning phases.

The State of Utah Department of Transportation (UDOT) became a partner through the TE efforts. UDOT assisted in the design, contracting and construction of the shuttle stop and streetscape improvements built within the State Route 9 (SR9) right-of-way in Springdale. These system improvements complemented and enhanced Springdale's historic road and streetscape that had been constructed by the Works Project Administration (WPA) and UDOT in 1938. The blending of historic preservation and transportation improvements provided synergistic benefits to both visitors and residents, alike.

Zion Canyon Theater was also a partner from the early planning efforts. Located immediately adjacent to the park, early planning concepts envisioned a cooperative effort between the park, ZNHA, and the theater, to privately finance and construct a visitor center on theater lands. When financial goals for the the visitor center could not be achieved, the development proposals were re-evaluated and partnering efforts continued between the park and the theater owners. At one point during the planning efforts, partnering proposals were considered with National Geographic Television, the theater, and the park. These proposals were not successful. The final

development partnering efforts resulted in the construction of the town shuttle loop northern terminus, a camper store/ restaurant, and tour bus parking with private funds on theater lands. These shuttle system improvements are directly connected to the park visitor center and create a visitor complex that bridges the community with the national park.

The State of Utah Department Office of Energy and Resource Planning contributed expertise and funds for the procurement and installation of the visitor center photovoltiac (PV) panels and assisted in the interconnection agreements with Scottish Power Corporation, the parent company of the local energy supplier . These PV panels, which produce electric energy, reduce energy consumption and generates electricity back into the power grid. They also contribute to the sustainability themes of transportation systems.

Other partnering efforts were consistently demonstrated by landowners adjacent to shuttle stops in town, by community groups and by other elected local and county officials. These efforts ranged from design input, private property improvements to compliment transportation construction, community support and local artwork in future town interpretative exhibits. The partnering efforts, which constructed the town shuttle stops, streetscape improvements and town loop terminus, have contributed approximately 15 percent of the total transportation system capital costs. Future system components for additional streetscape improvements — sidewalks, street trees, pedestrian lighting, traffic calming islands, and vegetation — will increase partnering contributions by over $3.0 million.

The benefits of partnering are numerous. In addition to increased funding, project support, and responsive community based solutions, partnering allows the conservation ethics of the National Park Service to reach larger audiences. Partnering benefits both current and future users of the transportation system by accommodating increased visitation without impacting park and community values, as well as by generating local economic vitality. The transportation planning and implementation at Zion National Park created long term relationships that will serve the gateway community, Springdale, and will be a model for other parks and gateway communities.

C&O Canal, Washington D.C.
Contact: Kenneth Laden (202) 671-2309

Following a blizzard in 1996, the combination of heavy rain and melting snow caused the Potomac River to spill over. The flooding that resulted damaged the historic Chesapeake and Ohio Canal. The canal was hit again that year by Tropical Storm Fran. These two incidents left the canal with locks and bridges in need of repair. Sections of the canal's towpath had also ripped away. The flooding had breached nearly 80 percent of the canal.

Though many considered the damage to be irreversible, NPS set a flood-recovery plan into action by bringing in national and local leaders to tour the damaged areas. Local government agencies responded despite the economic challenges confronting the District of Columbia, and through a series of partnership agreements, TE funds were allocated to de-silt the canal bed, restore the

towpath from Georgetown to the Maryland State line, build Fletcher's Boat House Bridge, and complete the rehabilitation of an historic wall that had been damaged along the canal.

The District has allocated more than $11 million in funds for the repair of the C&O Canal, an investment that has boosted tourism and restored wildlife and recreational resources.

Canal restoration was completed in the District of Columbia, but flood-recovery work continues along sections of the canal in Maryland. New engineering solutions are helping to minimize the effects of any future flooding; the canal will always be vulnerable to Potomac River flooding. The overall response shows how private donations and local government grants have rescued this historic national treasure.

Grand Canyon Greenway, Arizona
Contact Michael Terzich (520) 774-3402

Approximately five million people from every corner of the world visit Grand Canyon National Park each year. National Park Service planners and managers determined that the best method to accommodate the increasing number of visitors was to diversify the transportation system and offer access to a wider range of experiences on each rim.

At the heart of the Grand Canyon Greenway is an ambitious, multi-million public-private partnership development strategy that offers a new model for upgrading America's national park trail system. Public sources of funding will come from the TE program and NPS funding sources.

Greenway Phase 1 of the TE project is on the South Rim of Grand Canyon National Park in northern Arizona. It is specifically located in the developed zone of Grand Canyon Village and follows the rim of the canyon from Yavapai Point to the first overlooks along East Rim Drive (Arizona State Route 64). The project consists of a 10-foot wide, paved pedestrian trail, approximately two miles in length. Signage, benches, and revegetation of disturbed areas are included in the project. By year 2010, it is projected that Canyon View Information Plaza will see up to 4,000 visitors an hour on peak summer days. This phase of the TE project will help disperse the crowds along the rim and enhance the visitor experience at the rim of the canyon.

Greenway Phase 2 of the TE project is located on the South Rim of Grand Canyon National Park. It is in the developed zone of Grand Canyon Village and will connect the Canyon View Information Plaza near Mather Point with the east end of the Grand Canyon Village. The project consists of a 12-foot wide paved bikeway/pedestrian trail, 1.8 miles in length.

The project includes signage, trail pullouts, benches, and revegetation of disturbed areas. The majority of the project follows existing utility roads, informal existing trails, and well-worn unpaved trails. The trail parallels the main road leading from Canyon View Information Plaza to Grand Canyon Village and is set away from the road to increase safety and provide a more natural experience away from traffic for the visitors. The two Greenways will be maintained through a

private maintenance endowment set up through the Grand Canyon National Park Foundation and supported by private donations.

One of the most significant problems at Grand Canyon is the fact that visitors are dependent on the automobile or tour bus. With the new TE greenway project, the combination of non-motorized modes of travel will lessen traffic impacts. The greenway will be designed to accommodate all those who wish to experience the canyon regardless of age, ability, or recreational preferences. A system of high-quality, interconnected trails and overlooks will give visitors access to the canyon rim whether they are traveling on foot, by bicycle, or in a wheelchair. The trails will be specially designed and surfaced to make access and use both easy and convenient for all levels of hiking ability. A range of options will be available to each individual, group, or family – from a short walk to the canyon rim to a daylong outing. Using a network of equipment rental and return points, visitors can custom-tailor their canyon visit. They can, for instance, ride a bike to one destination and then return by using public transit (transit buses and light rail cars will have the capability to carry bicycles). The greenway will showcase Grand Canyon National Park as a model for multi-modal transportation.

Lowell National Park-- Boston, MA
Contact: Christina Briggs (978)-275-1725

Lowell National Historical Park, located in the heart of the City of Lowell, Massachusetts, was created by Congress in 1978 to preserve and interpret the historical and cultural sites, structures, and districts in Lowell, while maintaining and enhancing the urban environment and economy of the city. Lowell represents an innovative park concept in the National Park System: the historic and cultural resources remain largely in private ownership. The concept adopted at Lowell provides for a historical/cultural park in an urban environment, with a unique partnership between Federal, state, and local governments, and the private sector. These partnerships have been fundamental to achieving the park's mission and have allowed the park to minimize its ownership of property while still being involved in the treatment and use of the significant historic and cultural properties that comprise its 19th century urban setting.

Partnerships have been critical to the development and operation of the park's integrated visitor transportation system of canal boats, trolley and walkways. In the past two decades, Lowell has completed more than 40 transportation projects, totaling nearly $40 million in park, FHWA, State, and local funds. The park has been very successful in obtaining over 1.6 million in TE funds for a variety of projects, including the development of the Tremont Yard Trolley Terminus, canal walkway improvements, B&M Terminal Headhouse rehabilitation, and canalway/riverwalk wayside signage.

The park's long-term partnership with the Massachusetts Department of Environmental Management (DEM) has made the operation of park's canal tour boat program possible. DEM has acquired many of the land rights from the historic Locks and Canals Company, including a 20-foot wide strip along the canals, the historic gatehouse structures, and the recreational and air rights over the canals. Boott Hydropower Company, a local utility, owns the canal waterflow

rights, the canal bottom, and the operational mechanisms within the gatehouses. The utility's Federal Energy Regulatory Commission license authorizes the recreational use of the canals in a partnership arrangement with NPS and DEM to provide recreational tours. As a result, the park is able to offer a scenic attraction and educational program that would not have been possible without partnering.

The key to Lowell's success is the partnering, networking, and political skills of the park's personnel. They have effectively worked with government partners and the MPO. They are familiar with state and local transportation mechanisms, and have key partners advocating projects that involve multiple sources of funds.

ATTACHMENT 4

Beth Wilson: **"Transit and the Park Experience: Preservation, Access, Economics and Opportunity,"** *Community Transportation*, A Publication of the Community Transportation Association of America, September/October 2000, Vol. 18, N**o**. 7**.**

It rained hard on New Year's Day, 1997. Yosemite National Park in California had just completed another year of record visitation — more than four million people had come to experience the Valley, the majority of them in private automobiles.

As in previous years, parking difficulties and traffic congestion at times grew so severe that Park officials had been forced to close the entrance gates and turn away visitors. Tourists were seeing far more of their windshields than they were of Yosemite's spectacular Half Dome and Giant Sequoia groves.

Along with the steady rain, temperatures were warmer than usual that January, melting layers of dense winter snow. The resulting flood in Yosemite Valley lasted three days, raising water levels as high as 10 feet in some areas of the park. Befitting the setting, the flood was a natural process – nature setting its course. But ecological benefits for the land were an economic disaster for Park visitor operations. The Park lost roads and trails, utilities, buildings and campgrounds, shutting down access for more than three months.

What was widely described as a catastrophe, however might have been an opportunity in disguise. Time to stop. To step back. To rethink. Park officials and gateway communities suddenly had the chance to imagine and build a new park experience — an experience in which transit would play a key role.

Parks in the Balance

The National Park System (NPS) operates under a precarious mandate. Federal parks were established to protect unique natural resources and preserve national heritage for future generations to enjoy. At the same time, the NPS must ensure public access to these scenic treasures. The two obligations are actually at odds with one another. As the number of visitors grows each year, so does their destructive impact on the parks – cars, exhaust, lines of traffic, delays, paved parking lots – marring the very park experience the public seeks.

More than just scenery, the national parks are important extensions of community in many areas – economic generators in the travel and tourism industry and the local economies dependent on it. Wildlife-related tourism generates an estimated $60 billion a year nationwide.Hotels, campgrounds, restaurants, retailers and related industries are faced with a similar dilemma. They thrive on park visitors, yet these visitors threaten the very thing that feeds tourism. Hence, business and local governments, too, have a vested interest in finding better solutions to accessibility.

When Congress designated Yellowstone the first national park in 1872, the mode of access was horse and horse-drawn carriage. The era of rail followed, and with it increasing numbers of visitors from afar. Tourism drove business growth and the construction of hotels and new roads. Since the late 1920s, transportation systems in the national parks have been developed primarily for the private automobile. Cars gave visitors access to remote areas, flexibility in travel planning and personal space for recreation equipment. Today there are more than 8,000 miles of roads running through our national parks, many leading to the visitor to-and-from expansive parking facilities.

But the era of road building in the parks is over. The infrastructure is now at or beyond capacity. More than 287 million visitors traveled to national parks in 1999. The roads were designed to flow with the natural setting, contributing to a visual experience. They were never meant to carry today's car volume. Arriving with hopes of a park experience, visitors often find themselves caught in a parking experience. Many resort to parking on roadsides, damaging natural resources and creating hazardous conditions. Beyond an environmental impact, the cost of expanding roadways and parking facilities to meet demand is an enormous drain on site resources, which are already straining to address a backlog of deferred maintenance. Alternative transportation systems may provide less expensive and more compatible park access.

Federal Coordination

President Clinton highlighted the need for improved visitor transportation systems in the national parks in a 1996 memorandum. In response, the Department of the Interior (DOI) and the Department of Transportation (DOT) signed in 1997 a memorandum of understanding (MOU) that would guide their collaborative efforts in innovative transportation planning. This guidance emphasized the need to preserve and protect natural resources; promote energy efficiency; move people safely; and improve recreation, historical interpretation and tourism opportunities.

Under the National Park Service's Transportation Management Program five national parks have been selected for site-specific demonstration projects:

- Light-rail transit and an alternative-fuels shuttle bus system in Grand Canyon National Park;
- Coordinated ferry and shuttle bus service throughout Golden Gate National Recreation Area;
- A regional transportation system combined with an in-park transit and intermodal transportation circulation plans in Yosemite National Park;
- An integrated transportation system at Zion National Park that connects the park with the gateway community of Springdale, Utah; and
- A bus transit system in Acadia National Park grown out of local-level partnerships and serving several gateway communities.

In addition, the two federal agencies are collaborating on a comprehensive study of transportation needs and alternative transportation systems in public lands. Expected to be released in early 2001, the study will examine potential transit strategies at numerous NPS, Bureau of Land Management, and Fish and Wildlife Service sites, as well as suitable vehicles and funding opportunities. Results could support a current Senate bill (S. 690) authorizing $50 million dollars annually over the next five years through a new FTA Transit in the Parks Program similar to FHWA's Federal Lands Highway program.

Acadia: Successful Partnerships
Located on the coast of Maine, Acadia National Park encompasses more than 47,000 acres on Mount Desert Island and surrounding islets. Downeast Transportation, Inc., runs a nonprofit transit system in Ellsworth, Maine, a gateway community 20 miles outside the park. In the early 1990s, Downeast recognized a need for transportation for park visitors staying in area campgrounds. After securing interest, private campground operators and the park service campground were assessed fees, enabling Downeast to began a shuttle service to the island town of Bar Harbor in 1993. Requiring a $2.00 fare from passengers, initial ridership was low.

By the mid-1990s, summer traffic congestion on the island reached a level that had residents complaining to elected officials, and businesses fearing a loss of tourists. In 1996, the Mount Desert Island League of Towns met with park officials to discuss growing traffic problems. *After a series of town hall meetings, The League, Downeast, and Acadia National Park applied jointly to the Maine DOT for Congestion Mitigation and Air Quality (CMAQ) funds. Requiring a local match, community partners rose to the challenge. The four island towns each voted to approve proportional funding, with additional contributions coming from Friends of Acadia, a local park support organization, and island businesses through the Bar Harbor Chamber of Commerce. To these resources the Park added a portion of each visitor's entrance fee. Secured CMAQ dollars enabled Downeast to purchase eight propane-fueled buses, while the community partnership contributed funds to support operations and to hire a transportation consultant to guide the system's development and marketing.*

Downeast launched a free summer shuttle service in the park and local communities in June 1999. Response to the Island Explorer was overwhelming. Ridership shot up 600 percent, with nearly 3,000 passengers a day riding the shuttles during the season's peak. The DOI estimates a reduction of 1.3 million vehicle miles from the park's roads during its first summer of operation.

To meet the growing demand, Downeast needed to add more vehicles. A second round of funding included competitive grant money from the Federal Highway Administration's Transportation Management Program. During the 2000 tourist season, the Island Explorer served visitors and residents with an additional nine buses. Although park visitation was down, ridership continued to increase 40 percent.

"It's not a park operation," notes Tom Crikelair, previous general manager of Downeast and now an independent consultant on the project. "It's a community transit operation. We've had to cut some new pathways through bureaucracy."

Established working relations contributed to Acadia's designation as a demonstration park in the DOI-DOT memorandum of understanding. A multi-faceted support structure behind Island Explorer included input from all interested and affected stakeholders and an established transportation provider. "Did we need to create a separate transit system for the park system? We all agreed that the existing Section 18 [grantee] was the best one to run the system," remarks Crikelair referring to Downeast Transportation, who also receives FTA 5311 Funds.

The Island Explorer runs on seven bus routes originating from the Village Green in Bar Harbor and spreading out to cover a large portion of Desert Island. The buses transport passengers to popular park destinations, campgrounds, and hotels, harbors and ferry terminals, and the airport, as well as to schools, post offices, and community centers.

The performance of and support for Island Explorer led in November 1999 to Acadia's designation as the test site for a new DOT Intelligent Transportation System. The ITS test project is implementing an Advanced Traveler Information System designed to provide visitors with real-time information on parking availability, bus arrivals and departures, weather updates and other related communications. The project provides $2 million to expand the island shuttle system, which could serve as a model for other public lands.

"It's the partnerhip," says Len Bobinchock, Deputy Superintendent of Acadia National Park, describing Island Explorer's success. "The system has to serve both the park and the community."

The planning engaged all parties with a vested interest, included campgrounds, hotels, and the Chamber of Commerce.

"And they, in turn, became some of the strongest promoters of the system," adds Bobinchock, who is already looking to the future, describing a vision of a Statewide, resource-sensitive, multi-modal transportation network that could connect visitors to Acadia and other destinations through an intermodal hub, park and ride facilities, airports, and ferries. "Island Explorer is just the beginning."

Zion: The Way a Park Should Be

Like so many of the national parks, Zion Canyon in southern Utah had become a moving parking lot during the summer tourist season. With thousands of cars vying for only hundreds of parking spaces, some tourists spent their vacation circling for an opening. Others resorted to roadside parking, degrading natural resources and diminishing the Canyon's vistas.

But that was then. This is now. 2000. A new millenium. A new park — this one nearly car-free.

"There was an enormous, positive impact in taking cars out of the canyon," reports Kirk Scott, General Manager of Zion Canyon Transportation System at the close of the system's first summer run. "It changed the noise, the pollution … the feel. This is the way a park should be."

The free shuttle bus service began in May of this year, the result of six years' planning involving NPS, FHWA, Zion National Park, McDonald Transit Associates, the Utah DOT, the community of Springdale, Utah and Congress. Zion National Park had made previous attempts at park transit, as early as the 1970s. But partnerships and perseverance came together in the 1990s. Working with the congressional delegation from Utah, Zion National Park officials secured earmarks through the DOI appropriations bill. DOI dollars provided capital investments for bricks and mortar and vehicles, and Zion set out to create a transit system for the park. Meanwhile, the town of Springdale, just outside the park entrance, was sharing similar problems with traffic and parking. Recognizing their symbiotic relationship, the Park and the city began a collaborative effort.

Springdale applied to the Utah DOT and won **Transportation Enhancement** (FHWA/Surface Transportation Program) funds in 1997 and 1998. As part of an integrated transit plan that extended the look of the park, the town created bus stops and shelters, cross walks and traffic calming islands. Interested in improvements to the economic environment and quality of life, businesses and citizens came on board.

With no local transit provider to draw on, the park system put out a nationwide request-for-proposal. The bid was won by McDonald Transit Associates. Arriving from Waco, Texas, to head the budding system, Kirk Scott began to assemble his transit team. Thirty propane-fueled buses christened with Zion Canyon Transportation System rolled out through the canyon on May 23. By season's end in October, ridership had risen beyond expectation, with 1.5 million passenger trips.

"A far greater experience is now really guaranteed for visitors to Zion, and that has spilled over into the community," says Glen Hill, town manager of Springdale. "They're staying longer and spending more."

With few exceptions, cars have been banned from the park. Visitors park at the new Visitor Center at the park entrance or in Springdale using both on- and off-street parking. They can then board the shuttle at the Center or the closest Springdale stop. The system consists of two routes emanating from the Visitor Center at the park's entrance. The northern line makes numerous stops throughout the canyon. The southern line runs into and through the gateway community. Operation costs are paid with a dedicated portion of the park's $20 entrance fee.

The transit system does more than just move people. It is an essential element in the park's conservation mission.

"It was important that the buses became part of the message, part of the story," explains Pat Shea, landscape architect with the National Park Service. "This is a great opportunity to rescript how visitors experience the park."

Yosemite: Bringing Gateway Communities on Board? Understanding the Larger Community?

During the worst days of the mid1990s, many visitors to Yosemite National Park never got past the entrance. The Valley had reached capacity and the gate was shut. Park officials had implemented a Restricted Access Plan, closing the entrance gates to the Park due to congestion levels and fierce parking competition. The only vista these tourists saw was a stream of gridlock. The closures and their media coverage, including international reports, caused confusion and concern and resulted in a drop in tourism. Local businesses dependent on tourist dollars suffered, and relations between the Park and its concessionaires and gateway communities were strained. Ecology and economies clashed.

Accommodating more cars was not an option. Land use limits prevented the construction of additional parking spaces. Widening roadways would be cost prohibitive and environmentally unsound due to steep terrain and fragile ecosystems.

But accommodating people was a top priority, both of the Park and the gateway communities. Access to the Park is vital to the economies of not only Park consessionaires but of the five surrounding counties. Four million visitors each year contribute some $3 billion to the local economy. If the Park Service strictly enforced its auto limits, the region stood to lose millions of dollars annually.

The Yosemite Area Regional Transportation Strategy group (YARTS) had its genesis in the early 1990s with a Memorandum of Understanding established among the Park Service, area county governments, Caltrans (California State Highway Department), the State Department of Tourism, the US Forest Service and, later, the Federal highway Administration (FHWA). The group came together with a common mission: to improve transportation service, reduce dependence on private autos, improve air quality and ensure the economic viability of the region.

The destructive flood in the beginning of 1997 offered a real opportunity to rethink circulation in the Park. A National Park Service study recommended road closures and reduced parking. The YARTS team conducted their own study, and brought surrounding communities to the table. The counties made it clear that most of their businesses depended on car traffic. Any mass transit options would have to ensure that visitors did not bypass their communities.

“We wanted to work together to come up with a solutions,” explained Marjie Kirn of Merced County Association of Governments. “To feel like [the gateway communities] have some control over access issues in Yosemite,”

Two area counties, wary of the YARTS project, and its perceived potential to ban automobiles in the Valley, withdrew their participation. The remaining YARTS Board, including the Park Service, worked with a business and citizen advisory committee to develop a coordinated mass transit system serving both Yosemite Valley and communities along Highway 140 and Highway 120E. The two feeder routes of the Yosemite Area Regional Transit Service are operated by Yosemite Concession Services, local winner of a competitive bidding process. Both lines connect passengers with the Valley Shuttle looping inside the Park boundaries.

All parties are invested, making a financial contribution to the system. Using a portion of park entrance fees, Yosemite National Park provides a fixed subsidy to YARTS, which is supplemented by subsidies from three area counties. Mariposa County contributed funds for Year 2000 operations through a hotel bed tax, while Merced County provided CMAQ grant dollars. Mono County plans to contribute FTA 5311f money (funding for rural inter-city transit) toward 2001 service. YARTS’ operations are also supported with farebox revenue, all of which stays with the transit operator. CalTrans provided DOT State Planning and Research funds to pay for bus stop and roadway improvements.

In an agreement with the Park, YARTS vehicles have certain privileges: priority access to the park that avoids lines at the entrance gates, elimination of the $300 vehicle entrance fee charged tour buses, elimination of park entrance fees for passengers, and permission to stop at key attraction points.

Buses began rolling through Yosemite Valley in May 2000, supported by the Yosemite Area Traveler's Information System (YATI), which uses changeable message signs, highway radio information, information kiosks, and a website (www.yarts.com) to provide real-time transit support. The YARTS system carried 30,000 one-way riders during the May-September summer run, eliminating approximately 9,8000 cars from the Valley.

Partnerships and Opportunities

Successful visitor transportation systems share one essential component: partnership. National Parks do not exist in isolation. While they are national lands, they are at the same time extensions of local communities. Their operations and their well-being impact not only the visitor experience but capital flows at the State and local level. Community transportation can play a role in facilitating the goals of all partners. In order seize service opportunities in and near national parks, Transit operators need to understand the multi-level transportation planning process.

TEA-21 provides $217 billion over six years for surface transportation programs, including many types of park projects. While some funds can be distributed directly to the local Park Service, most of these dollars flow through FTA and FHWA programs to the 50 States according to a formula. *This makes the State an important partner*. While regional MPOs are the designated planning bodies for urbanized areas of 50,000 or more residents, the national parks – typically set in less populated areas – participate in transportation planning at the State level.

Under TEA-21, metropolitan and Statewide transportation planning processes develop a long-range (20-year) transportation plan and a three-year list of priority projects in the Transportation Improvement Program (TIP). The NPS develops its own priority list of projects to be funded through the FLHP program. Metropolitan, rural and park TIPs are integrated into the Statewide Transportation Improvement Program (STIP).

These planning provisions mean that national parks can influence State and local decision making, becoming additional forces in funding allocation. *Access to State-distributed funds is crucial to the NPS goals of reversing environmental degradation, facilitating the circulation of visitors and improving the park experience. Funding opportunities will require partnerships with local stakeholders, and coordinated planning that integrates the needs of surrounding communities.*

Expanded opportunities under TEA-21 include:

- Increased PRP funds and expanded eligibility requirements for projects providing access to and within a national park, and for transit facilities in the parks.
- Funding for transportation projects aimed at environmental protection and preservation through the Transportation Enhancement (under STP), Clean Fuels, Scenic Byways, and Recreational Trails Programs.
- Increased CMAQ funds for public transit investments aimed at improving air quality.
- Authorization to use NPS appropriated funds and FLHP funds as the local match for many types of federally funded transportation project.

Moving Forward: The Future Park Experience

The National Park Service has adopted the motto: Visit Your Parks, Experience Your America. And this experience, increasingly, involves transit alternatives to the private automobile. The role of public and community transportation in National Parks parallels its capacity in our cities, towns and neighborhoods.

Just as public and community transportation add to the livability of the communities in which we live, they also add to the experience of our nation's most precious parks. And transit's impact on economic development is essentially the same for National Park gateway communities as it is in the rest of the nation.